

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



NOV 01 2006

UNITED STATES OF AMERICA

CLERK, US DISTRICT COURT, WDNY

-v-

FRANKIE JOHNSON a/k/a
FRANKLIN JOHNSON,

06-CR-

Defendant

06 CR 385

INFORMATION

(Title 21, U.S.C. § 848(a) and
Title 18, U.S.C. § 1956(h))

COUNT I

The United States Attorney Charges:

Between in or about January 2001 and in or about October 2004, at Buffalo, New York, in the Western District of New York and elsewhere, the defendant, FRANKIE JOHNSON a/k/a FRANKLIN JOHNSON, did knowingly, willfully, intentionally and unlawfully engage in a Continuing Criminal Enterprise, in that he did violate Title 21, United States Code, Sections 841(a)(1) and 846, which violations were part of a continuing series of violations of said statutes undertaken by the defendant, FRANKIE JOHNSON a/k/a FRANKLIN JOHNSON, in concert with five or more other persons, known and unknown, with respect to whom the defendant, FRANKIE JOHNSON a/k/a FRANKLIN JOHNSON, occupied a position of organizer, supervisor and

manager, and from which continuing series of violations the defendant, FRANKIE JOHNSON a/k/a FRANKLIN JOHNSON, obtained substantial income and resources; all in violation of Title 21, United States Code, Section 848(a).

COUNT II

The United States Attorney Further Charges:

Between in or about January 2001 and in or about October 2004, at Buffalo, New York, in the Western District of New York, the defendant, FRANKIE JOHNSON a/k/a FRANKLIN JOHNSON, did knowingly, willfully and unlawfully conspire, combine, confederate and agree with others, known and unknown, to commit offenses against the United States, that is, to knowingly conduct financial transactions, that is, the transfer, delivery and payment of monetary instruments, consisting of a total amount of approximately \$1,000,000 in United States currency, to persons employed by and on behalf of the defendant to sell marijuana and to maintain premises used for the purpose of selling marijuana, a commodity affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is, the distribution of marijuana, a Schedule I controlled substance, and conspiracy to do so, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, with the intent to promote the carrying on of

said specified unlawful activity and that while conducting such financial transactions, knew that the property involved in the financial transactions involved the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i); all in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION

From defendant's conviction on Counts One and Two of this Information, the defendant, FRANKLIN JOHNSON, shall forfeit to the United States any property constituting, and derived from, any proceeds obtained, directly and indirectly, as the result of such violation and any property used, and intended to be used in any manner and part, to commit, and to facilitate the commission of, such violations, all pursuant to Title 21, United States Code, Sections 853 (a)(1)(2) and (3) and Title 18, United States Code, Section 982(a)(1), which are in the possession and control of defendant or his nominees or were seized from the defendant or his nominees on or about October 7, 2004, including, but not limited to the following property:

Real Properties:

(a) All legal and equitable interest in the premises and property located at 817 East Delevan, Buffalo, New York;

(b) All legal and equitable interest in the premises and property located at 17 Gittere Street, Buffalo, New York.

Business Interests:

(a) All legal and equitable interests in the business, Buffalo One Stop, 817 E. Delevan, Buffalo, New York.

Monetary Amount and Money Judgment:

(a) The sum of thirteen thousand two hundred three dollars and thirty two cents (\$13,203.32) found in various locations under the control of defendant or his nominees and the sum of which will be applied to any judgment ordered against defendant.

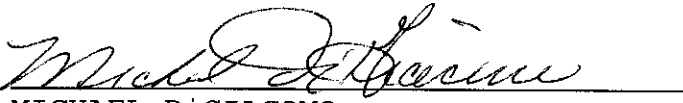
(b) The sum of one million fifty six thousand three hundred-eighty dollars (\$1,056,380.00) United States currency. Said amount to be secured by a money judgment amount which will accrue

interest at the prevailing interest rate per annum from the date of this agreement and shall serve as a judgment and lien against the defendant until fully satisfied;

Dated: Buffalo, New York, November 1, 2006.

TERRANCE P. FLYNN
United States Attorney

BY:



MICHAEL DiGIACOMO
Assistant U.S. Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
(716) 843-5700, ext. 885
michael.digiaco@usdoj.gov